

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizen ship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: CONTROL FOR EVAPORATIVE COOLING APPARATUS the specification of which:

(check one) is attached hereto. was filed on September 8, 2003 as
Application Serial No. 10/658,436 and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed:

Prior Foreign Application(s)

Priority Claimed

N

(Number) (Country) Day/month/year filed Yes No

N/A

(Number) (Country) Day/month/year filed Yes No

N/A

(Number) **(Country)** **Day/month/year filed** **Yes** **No**

I hereby certify that this correspondence is being

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Alexandria, VA. 22312-1450 on: December 10, 2003

1991-12-03

TOD R. NISSLE, Reg. No. 29.241

DATE

1 I hereby claim the benefit under Title 35, United States Codes §120 of any United States application(s)
2 listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior
3 United States application in the manner provided by the first paragraph of Title 35, United States Code §112,
4 I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations
5 §156(a) which occurred between the filing date of the prior application and the national or PCT international
6 filing of this application:

7 09/997,517 11/29/2001 PENDING
8 (Application Serial No) (Filing Date) (Status) (patented, pending, abandoned)

9 N/A
10 (Application Serial No) (Filing Date) (Status) (patented, pending, abandoned)

11 I hereby declare that all statements made herein of my own knowledge are true and that all statements
12 made on information and belief are believed to be true; and further that these statements were made with the
13 knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,
14 under § 1001 of the United States Code and that such willful false statements may jeopardize the validity of the
application or any patent issued thereon.

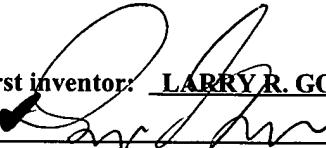
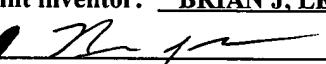
15 And I hereby appoint:

16 Tod R. Nissle, Esq. Reg. No. 29,241
17 TOD R. NISSLE, P.C.
18 P.O. Box 55630
19 Phoenix, Arizona 85078

20 Tel: (602) 494-8700
21 Fax: (602) 494-8707
22 Email: nissle@nissle.com

23 my attorney and with full power of substitution and revocation, to prosecute this application and to transact all
24 business in the United States Patent and Trademark Office connected therewith.

25 Wherefor I pray that Letters Patent be granted to me for the invention or discovery described and
claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification
and claims, declaration, power of attorney, this petition.

1 Full name of sole or first inventor: LARRY R. GORDON
2 Inventor's signature:  Date: 9/23/03
3 Residence: 19631 East Camina Plata, Queen Creek, Arizona 85242
4 Citizenship: UNITED STATES OF AMERICA
5 Post Office Address: Same
6 Full name of second joint inventor: JON E. JELEN
7 Inventor's signature:  Date: 9/23/03
8 Residence: 2215 South Johnson Circle, Mesa, Arizona 85202
9 Citizenship: UNITED STATES OF AMERICA
10 Post Office Address: Same
11 Full name of second joint inventor: BRIAN J. LEE
12 Inventor's signature:  Date: 9-23-03
13 Residence: 2685 South Ponderosa Drive, Gilbert, Arizona 85297
14 Citizenship: UNITED STATES OF AMERICA
15 Post Office Address: Same
16 (Supply similar information and signature for fourth and subsequent joint inventors)
17
18 Attorneys Docket No.: 632-P-3
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : **LARRY R. GORDON**
JON E. JELEN
BRIAN J. LEE

Serial No. : **10/658,436**

Filed : **September 8, 2003**

For : **CONTROL FOR EVAPORATIVE
COOLING APPARATUS**

**DECLARATION VERIFYING SMALL ENTITY STATUS
UNDER 27 C.F.R. 19(f) AND 1.27(b)**

11 Asst. Commissioner of
Patents and Trademarks,
PO Box 1450
12 Alexandria, VA 22313-1450

13 | Dear Sir:

14 As a named inventor, I hereby that I qualify as an independent inventor as defined in 37 C.F.R.
15 1.9 (c) for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, to the Patent
and Trademark Office with regard to the above-identified patent.

17 I have not assigned, granted, conveyed or licensed and am under no obligation under contract
18 or law to assign, grant, convey or license any rights the invention to any person who could not be classified as
19 an independent inventor under 27 C.F.R. 1.9(c) if that person had made the invention, or to any concern which
20 would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R.
21 1.9 (e). Any person, concern or organization to which I have assigned, granted, conveyed or licensed or am under
an obligation under contract or law to assign, grant, convey or license any rights in the invention is identified
below:

24 I hereby certify that this correspondence is being deposited with the United States Postal Service as:

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26 COMMISSIONER OF PATENTS, P.O. Box 1450
Alexandria, VA 22313-1450 on: December 10/2003

25 h 11

27 Q. 11

28 | TOD R. NISSE, Reg. No. 29,241

DATE

12-10-03

1 **Full Name:** N/A

2 **Address:** _____

3 _____

4 **Individual** **Small Business** **Non profit Organization**

5 _____

6 _____

7 **Full Name:** N/A

8 **Address:** _____

9 _____

10 **Individual** **Small Business** **Non profit Organization**

11 _____

12 **I acknowledge the duty to file, in this patent, notification of any change in status resulting in loss**
13 **of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any**
14 **maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 C.F.R. 1.28(b)]**

15 _____

16 **I hereby declare that all statements herein of my own knowledge are true and that all statements**
17 **made on information and belief are believed to be true; and further that these statements were made with the**
18 **knowledge that willful false statements or the like so made are punishable by fine or imprisonment, or both,**
19 **under §1001 to Title 18 of the United States Code, and that such willful false statement may jeopardize the**
20 **validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.**

21 _____

22 _____

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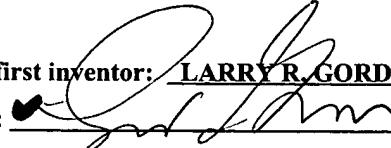
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1 Full name of sole or first inventor: LARRY R. GORDON

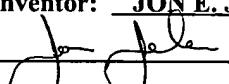
2 Inventor's signature:  Date: 9/23/03

3 Residence: 19631 East Camina Plata, Queen Creek, Arizona 85242

4 Citizenship: UNITED STATES OF AMERICA

5 Post Office Address: Same

6 Full name of second joint inventor: JON E. JELEN

7 Inventor's signature:  Date: 9/23/03

8 Residence: 2215 South Johnson Circle, Mesa, Arizona 85202

9 Citizenship: UNITED STATES OF AMERICA

10 Post Office Address: Same

11 Full name of second joint inventor: BRIAN J. LEE

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18 Attorneys Docket No.: 632-P-3

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